

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

No. 3:06-CR-402-1BR &
5:06-CR-53-1BR

UNITED STATES OF AMERICA)
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)
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 v.) O R D E R
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)
 DONALD EDWARD OEHMKE)

This matter is before the court on motion of the government for a downward departure pursuant to Rule 35 of the Federal Rules of Criminal Procedure. The motion is ALLOWED and the judgment of this court dated 2 June 2008 is hereby modified as follows:

1. By deleting therefrom the imprisonment term of 60 months as to Count 1 of Indictment in 5:06-CR-53BR and 63 months as to Count 1 of Indictment in 3:06-CR-402BR to be served concurrently with Count 1 in 5:06-CR-53 and inserting in lieu thereof 30 months as to Count 1 of Indictment in 5:06-CR-53BR and 30 months as to Count 1 of Indictment in 3:06-CR-402BR to be served concurrently with Count 1 in 5:06-CR-53BR. Except as herein modified, the Judgment of this court is, in all respects, ratified and confirmed.

This 17 September 2009.



W. Earl Britt
Senior U.S. District Judge